

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
Petition of Volunteer Wireless, Inc.) CC Docket No. 97-213
d/b/a Interpro Networks)
for an Extension of the Communications)
Assistance for Law Enforcement Act)
Compliance Deadline Pursuant to Section 107(c))

**PETITION OF VOLUNTEER WIRELESS, INC. d/b/a INTERPRO NETWORKS FOR
AN EXTENSION UNDER CALEA SECTION 107(c)**

Volunteer Wireless, Inc. d/b/a Interpro Networks ("Interpro"), a wireline carrier, 499 ID No. 801102, respectfully submits this Petition pursuant to section 107(c) of the Communications Assistance for Law Enforcement Act ("CALEA"),¹ to request an extension of time to comply with the packet-mode capability requirements imposed by section 103 of CALEA.² Specifically, Interpro requests that the Commission extend the deadline for compliance with CALEA's packet-mode capability requirements until June 30, 2004, for the equipment and facilities specified in the attached Flexible Deployment Template ("Template").³

¹ 47 U.S.C. § 1006(c). Interpro is an Internet Service Provider ("ISP") and, consequently, does not meet the definition of either a wireline or a wireless carrier. As an ISP, Interpro is not subject to CALEA's requirements; however, Interpro does offer DSL service and, due to the uncertainty regarding whether DSL services offered by ISPs are subject to CALEA, Interpro has elected to file this Petition for Extension out of an abundance of caution. Furthermore, because DSL service is offered over telephone lines, rather than as a wireless service, Interpro has identified itself solely for purposes of this Petition as a wireline carrier in order to comply with the requirements for filing Petitions for Extension contained in the FCC's Public Notice released September 28, 2001 (*See footnote 4, supra.*).

² 47 U.S.C. § 1002.

³ Interpro submitted the attached Template to the FBI on August 13, 2002.

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Interpro is a wholly-owned subsidiary of Ben Lomand Rural Telephone Cooperative, Inc. ("Ben Lomand"). Ben Lomand recently relocated its Internet operations into Interpro, so that the operations would be separated from those of Ben Lomand's telephone services. As demonstrated by the attached letter, Interpro's equipment and software vendor does not currently offer a CALEA solution. Accordingly, Interpro is unable to comply with CALEA's packet-mode capability requirements at this time.

Pursuant to the FCC Public Notice released on September 28, 2001,⁴ the contact information for Interpro is as follows:

Joe Hamby
Volunteer Wireless, Inc. d/b/a Interpro Networks
311 N. Chancery Street
McMinnville, TN 37110
Ph: (931) 668-4136
Fax: (931) 668-0617
Email: johamby@blomand.net

Section 107(c) of CALEA authorizes carriers to petition the Commission for "[one] or more" CALEA deadline extensions, which the Commission may grant where, as here, compliance with the section 103 capability requirements "is not reasonably achievable through application of technology available within the compliance period."⁵

⁴ *Public Notice*, DA 01-2243 ¶ 12 (rel. Sep. 28, 2001).

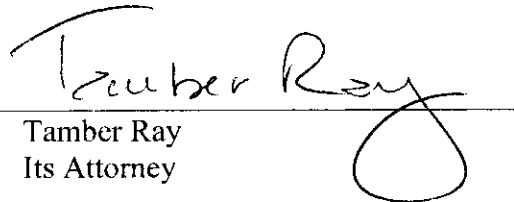
⁵ 47 U.S.C. § 1006(c)(2).

As demonstrated above, Interpro has found that compliance with the packet-mode capability requirements at this time is not reasonably achievable. Accordingly, the Commission should exercise its authority under section 107(c) to grant Interpro an extension of time, until June 30, 2004, to comply with CALEA's packet-mode capability requirements.

Respectfully submitted,

**VOLUNTEER WIRELESS, INC. d/b/a
INTERPRO NETWORKS**

By: _____


Tamber Ray
Its Attorney

Kraskin, Lesse & Cosson, LLP
2120 L Street, NW, Suite 520
Washington, D.C. 20037
(202) 296-8890

August 21, 2002

APPENDIX D - FLEXIBLE DEPLOYMENT ASSISTANCE GUIDE TEMPLATE

OMB Control Number: 1110-0030

Expiration Date: April 30, 2003

REvised 8/13/02

Carrier Name **Volunteer Wireless, Inc. d/b/a Interpro Networks**

TRS Number **801102**

Contact Person **Joe Hamby**

Address **311 N. Chancery Street**

City, State, Zip **McMinnville, TN 37110**

Telephone Number **(931) 668-4136**

Fax Number **(931) 668-0617**

If Applicable:

Consultant of Record (COR)

COR Company Name

COR Address

COR City, State, Zip

COR Telephone Number

COR Fax Number

Tamber Ray**Kraskin, Lesse & Cosson, LLP****2120 L Street, NW Suite 520****Washington, DC 20037****(202) 296-8890****(202) 296-8893**

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Please e-mail this form to FlexD@AskCALEA.net
or fax to (703) 814-4750

DECLARATION

I, Joe Hamby, Internet Services Supervisor, do hereby declare under penalties of perjury that I have read the foregoing "Volunteer Wireless, Inc. d/b/a Interpro Networks for an Extension Under CALEA Section 107(c)," and the information contained therein that pertains to Interpro is true and accurate to the best of my knowledge, information and belief.

Date: 8/19/2002

Joe Hamby
Joe Hamby

CERTIFICATE OF SERVICE

I, Naomi Adams, of Kraskin, Lesse & Cosson, LLP, 2120 L Street, NW, Suite 520, Washington, DC 20037, hereby certify that a copy of the foregoing "Petition of Volunteer Wireless, Inc. d/b/a Interpro Networks for an Extension Under CALEA Section 107(c)" was served this 21st day of August, 2002, on the following parties:

CALEA 107(c) Petition*
Industry Analysis and Technology Division
445 12th Street, SW
Washington, DC 20037

CALEA Implementation Section
14800 Conference Center Drive
Suite 300
Chantilly, VA 20151-0450



Naomi Adams

* Denotes hand-delivery.